

2010 Legal and Public Notices

GLASS - REPAIR WINDOW - \$236.95; HAROLD'S CAMERA STORES - CANON REMOTE SWITCH - \$29.95; HAWKINS INC - CHEMICALS - \$8,104.40; HD SUPPLY WATERWORKS LTD - METER PART - \$998.11; HDR ENGINEERING INC - ENGINEERING SERVICES - \$15,739.82; HEDAHLS PARTS PLUS - FILTERS - \$924.87; HEIMAN FIRE EQUIPMENT INC - EQUIPMENT - \$6,452.95; HISTORIC DOWNTOWN YANKTON INC - 1/2 SP APPROPRIATION - \$15,000.00; HORNUNG'S PRO GOLF SALE INC - MERCHANDISE - \$469.06; HOSMER LAW OFFICE PC - REIMBURSEMENT - \$96.76; HUNTLEY/ROGER - REGISTRATION FEE - \$35.00; HYVEE - SOFT DRINKS - \$105.54; INDUSTRIAL SUPPLY CO INC - PARTS - \$129.62; INLAND TRUCK PARTS CO - CAMSHAFT - \$586.77; INTERSTATE POWER SYSTEMS INC - HEATER - \$168.06; J&H CARE & CLEANING COMPANY - SAC JANITORIAL MARCH - \$2,600.00; JACK & JILL - SUBSCRIPTION - \$19.98; JACK'S UNIFORMS - UNIFORMS - \$358.72; JAMES STEEL ERECTION - N FIRE STATION - \$3,937.00; JCL SOLUTIONS/JANITORS CLOSET - JANITORIAL SUPPLIES - \$827.61; JODEAN'S RECEPTION SUPPLIES - \$85.50; JOHNSON ELECTRIC - REPAIRS - \$306.11; JOHNSON ENG CO INC - ENGINEERING SERVICES - \$26,460.00; K MART STORE #4813 - SUPPLIES - \$195.80; KADRMAS LEE & JACKSON INC - ENGINEERING SERVICES - \$4,612.22; KAISER HEATING & COOLING INC - SERVICE CALL - \$117.88; KAISER REFRIGERATION INC - TRIMMER PARTS - \$385.24; KARL'S INC - TELEVISIONS - \$1,879.92; KIMBALL - MIDWEST - SUPPLIES/FITTINGS - \$731.40; KNOLOGY - PHONE BILL - \$2,078.42; KNOLOGY - INTERNET SERVICES - \$745.02; KOBOLD INSTRUMENTS INC - FLOW SWITCHES - \$169.48; KOLETZKY IMPLMENT INC - TIE ROD - \$26.16; L&L MOTORS INC - PARTS - \$66.12; LANGUAGE LINE - SERVICES DUES - \$275.00; LARRY'S CANVAS & SHOE REPAIR - REPAIR TENNIS NETS - \$155.00; LARRY'S PLUMBING SERVICE - VALVE - \$21.70; LEAGUE OF MINNESOTA CITIES - AD - \$375.00; LEWIS & CLARK FORD - VEHICLE REPAIRS - \$490.55; LEWIS & CLARK HOME-BUILDER ASSN - TRAINING - \$200.00; LONG WEEKEND SPORTSWEAR - MERCHANDISE - \$876.15; LONG'S PROPANE INC - PROPANE - \$508.75; LRC INC - EXCAVATE SITE - \$9,417.00; LYLE SIGNS INC - SIGNS - \$765.86; MARKS MACHINERY - PARTS - \$7,001.47; MARTINS FLAG INC - FLAG - \$80.08; MCGRATH NORTH MULLIN & KRATZ - PROFESSIONAL SERVICE - \$52.00; MCLEODS PRINTING - ELECTION SUPPLIES - \$98.83; MCMASTER CARR SUPPLY CO - PLUMBING - \$105.19; MDSP PRODUCTION - AV PODIUM - \$463.58; MEDIAUSA ADVERTISING INC - ADVERTISING - \$200.00; MEIERHENRY SARGENT LLP - PROF SVC/BOND COUNSEL - \$22,000.00; MEN'S HEALTH - SUBSCRIPTION - \$19.97; MERIDIAN GRAIN - DE-ICING SALT - \$12,017.02; MIDAMERICAN ENERGY - FUEL - MARCH - \$14,419.36; MIDAMERICAN ENERGY - WATER/WW FUEL - \$10,625.86; MOTOR VEHICLE DEPT SD - LICENSE PLATES - \$105.00; NATIONAL GEOGRAPHIC - KIDS SUBSCRIPTION - \$19.95; NATIONAL GOLF GRAPHICS LLC - FLAGS - \$369.75; NB GOLF CARS INC - GOLF CAR LEASE - \$9,668.00; NEBRASKA AIR-FILTER INC - FILTER - \$354.50; NIKIE - GOLF MERCHANDISE - \$409.53; NORTH AMERICAS INC - CHEMICALS - \$4,640.00; NORTHEAST WISCONSIN - TECHNICAL CERTIFICATION FEES - \$585.00; NORTHERN TRUCK EQUIPMENT CORP - TRUCK REPAIRS - \$916.07; NORTHERN WATER WORKS SUPPLY - WATER METERS - \$15,110.06; NORTHWESTERN ENERGY - ELECTRIC - MARCH - \$44,595.54; NOVELTY MACHINE INC - PARTS - \$324.14; OLSON'S PEST TECHNICIANS INC - PEST CONTROL - \$209.70; ONE CALL SYSTEMS INC - LOCATE TICKETS - \$13.56; OVERHEAD DOOR CO - REPAIR DOOR - \$83.00; PBI CONSTRUCTION - CONCRETE CRUSHING - \$109,350.00; PIED PIPER FLOWERS - MEMORIAL - \$124.95; PING - GOLF CLUBS - \$4,362.88; PIONEER BANK & TRUST - RICOH COPIER LEASE - \$198.83; PRESS DAKOTA MSTAR SOLUTIONS - CLASSIFIED ADS - \$4,251.62; PRO AUTO TOWING - \$120.00; PRO - BUILD - LUMBER - \$216.06; PUKKA INC - MERCHANDISE - \$936.00; PUSH PEDAL PULL WEIGHT EQUIPMENT PARTS - \$12,229.30; QUILL CORPORATION TAPE - TONER - \$804.87; QWEST COMMUNICATIONS - PHONE SERVICE - \$1,548.55; R&R PRODUCTS INC - PARTS - \$158.84; RACOM CORPORATION - VEHICLE LIGHTS - \$4,292.60; RANDOM HOUSE INC - AUDIOBOOKS - \$191.50; REDLINGER BROS PLUMBING CORP - REPLACE DRAIN SYSTEM - \$7,575.00; REGION-

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AL TECHNICAL EDUCATION - LEASE - JAN - MARS2010 - \$4,400.01; REINHART FOODS INC - ENTREES - \$877.22; RIVER CITY SANDBLASTING - SANDBLASTING - \$50.00; RON'S AUTO GLASS REPAIR - WINDOW REPAIRS - \$1,180.00; RTC - QA SAMPLES - \$567.30; RURAL DEVELOPMENT - SR CITIZENS LOAN - \$3,075.00; SHERWIN WILLIAMS CO - PAINT - \$65.76; SHOT SELECTOR - TEES - \$209.47; SHUR - CO - TARPS - \$1,078.15; SIOUX EQUIPMENT COMPANY INC - AIRPORT FUEL INSPECTION - \$1,127.07; SIOUX FALLS - TWO WAY RADIO SVS CHARGER - \$54.94; SIRCHIE FINGER PRINT LABS - EQUIPMENT - \$259.16; SMITH/JACK - MARNE CREEK EASEMENT - \$200.00; SOUTH DAKOTA STATE ARCHIVES - MICROFILM - \$96.00; SPEIGHT/DAN - TRAVEL REIMBURSEMENT - \$867.45; SPECIALTY STORE SERVICES INC - DVD CASES - \$46.08; STANLEY SECURITY SOLUTIONS INC - LOCK - \$39.32; STERN OIL CO - INC - FUEL - \$12,836.92; STREET MAINTENANCE ASSN - CONFERENCE REGISTRATION - \$35.00; STURDEVANT'S AUTO PARTS INC - PARTS - \$106.59; TASTE OF HOME - SUBSCRIPTION - \$17.98; TAYLOR MADE - GOLF CLUBS - \$432.18; TERRY'S REPAIR - PARTS - \$150.00; TETRA TECH INC - AIR METER - \$675.00; THATCHER COMPANY - CHEMICALS - \$9,354.00; TITLEIST AND FOOT - JOY - CAPS/GOLF BALLS - \$4,381.74; TMA - TIRES - \$190.61; TODD INC - BROOMS - \$4,542.00; TOUR EDGE GOLF GROUP INC - GOLF CLUBS - \$2,235.69; TRAFFIC CONTROL CORP - LED LIGHTS - \$429.00; TRAMP/DENISE - REIMBURSE SWIMSUITS - \$100.00; TRANSPORTATION DEPT/SD - YRT REIMBURSEMENT - \$130.64; TRANSPORTATION DEPT/SD - CONFERENCE REGISTRATION - \$35.00; TRI TECH SALES - PUMP MOTOR - \$544.76; TRUCK TRAILER SALES INC - VALVE - \$400.02; US POST OFFICE - UTIL UT POSTAGE - MAR - \$1,200.00; UNITED PARCEL SERVICE INC - DELIVERY SERVICE - \$299.82; UNITED STATES POSTAL SERVICE - POSTAGE METER - MARCH - \$1,105.00; UPSTART - SUMMER PROGRAM - \$284.40; USA BLUE BOOK - REPAIRS - \$562.60; VANDERHULE MOVING INC - OXYGEN/ACETYLENE - \$270.00; WALTS HOMESTYLE FOODS INC - SNACK FOODS - \$75.00; WATER & ENV ENG RESEARCH CTR - TOC SAMPLES - \$76.00; WEBERG/LINDA - CLASS FEE - \$10.00; WESTERN OFFICE PRODUCTS - CABINET - BULLETIN BOARD - \$880.58; WHOLESALE SUPPLY INC - CANDY - \$545.85; WORLD BOOK SCHOOL & LIBRARY - ENCYCLOPEDIAS - \$799.00; WORTMANN/CAROL - TAXES - \$140.69; XEROX CORPORATION - COPIER LEASE - \$2,359.16; YANKTON AREA EMS ASSOCIATION - TRAINING - \$165.00; YANKTON AREA ICE ASSOCIATION - SKATING REVENUE - \$3,823.53; YANKTON AREA PROG GROWTH - ANNUAL MEETING TICKET - \$10.00; YANKTON AUTOMOTIVE MACHINE INC - SUPPLIES - \$103.50; YANKTON COUNTY TREASURER - TAXES - \$101.25; YANKTON FIRE & SAFETY CO - EXTINGUISHER INSPECTION - \$1,536.00; YANKTON INSURANCE AGENTS - POLICY RENEWAL - \$10,355.50; YANKTON JANITOR SUPPLY INC - SUPPLIES - \$2,013.61; YANKTON MEDICAL CLINIC - PRE - EMPLOYMENT PHYSICAL - \$1,164.50; YANKTON MOTOR COMPANY - PART - \$14.78; YANKTON NURSERIES LLC - AG SUPPLIES - \$8.35; YANKTON WINNELLSON CO INC - PLUMBING SUPPLIES - \$450.19; ACE HARDWARE - BATTERIES - \$4.55; AMERICAN FAMILY LIFE CORP - CANCER & ICU PREMIUMS - \$5,477.26; AVERA HEALTH PLANS HEALTH INS - APRIL - \$76,042.22; BASS/STEWART - WORKSHOP - \$40.00; CREDIT COLLECTION SERVICE INC - EMPLOYEE DEDUCTIONS - \$241.40; DAKOTA 911 CONFERENCE - CONFERENCE REGISTRATION - \$240.00; DELTA DENTAL - DENTAL INS - APRIL - \$5,796.44; DEPT OF SOCIAL SERVICES - EMPLOYEE DEDUCTIONS - \$ 1 0 7 2 0 0 ; DEVILLE/DOROTHY - REFUND - \$4.74; FIRST NATL BANK SOUTH DAKOTA - EMPLOYEE DEDUCTIONS - \$1,439.00; ICMA RETIREMENT TRUST - #457 EMPLOYEE DEDUCTIONS - \$4,173.18; JCPENNEYS - UNIFORMS - \$300.00; LEWIS & CLARK FORD - VEHICLES - \$48,362.00; MADISON NATIONAL LIFE INS CO - LIFE INS - APRIL - \$620.19; MENARDS - SUPPLIES - \$538.15; MUNICIPAL LEAGUE SD - MEETING - \$30.00; NEBRASKA CHILD SUPPORT PAYMENT - EMPLOYEE DEDUCTIONS - \$303.00; OLSON/RHONDA - WORKSHOP - \$75.00; PITNEY BOWES - SUPPLIES - \$100.00; ROYAL SPORTS SHOP - FIRST AID SUPPLIES - \$28.00; SD PUBLIC ASSURANCE ALLIANCE - INSURANCE ADDITIONS - \$143.85; SDSRP-

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EMPLOYEE DEDUCTIONS - \$125.00; SEARS - TOOLS - \$412.47; SPRINT AQUATICS - SWIM GOGGLES - \$255.00; STAPLES - PROJECT FOLDERS - \$21.67; SUMMIT ACTIVITY CENTER - EMPLOYEE DEDUCTIONS - \$855.45; UNITED WAY - EMPLOYEE DEDUCTIONS - \$2.00; VISA - UNIFORMS - \$480.94; VISA - SHELVESS - \$1,433.09; VISA - KJ PUBLICATIONS - \$975.98; VISA - DR NATIONAL FIELD ARCHERY - \$1,323.94; VISA - SUMMER READING PRIZES - \$78.80; VISA - DARREN MOSER MEMBERSHIP DUES - \$25.00; WAL - MART STORES INC - VACUUM - \$536.01; YANKTON COUNTY TREASURER - TAXES - \$15.38; ZAJIC/JAKE - WORKSHOP - \$175.00. **Roll Call:** Members present voting "Aye;" Commissioners Aklund, Carda, Gross, Knoff, Lowrie, Wenande, and Mayor Specht; voting "Nay;" None; Abstaining: Commissioner VanDerhule. Motion adopted. **SALARIES - MARCH 2010:** ADMINISTRATION - \$23,892.10; FINANCE - \$25,605.33; COMMUNITY DEVELOPMENT - \$12,867.71; POLICE - \$117,013.44; FIRE - \$93,360.49; ENGINEERING - \$32,998.90; STREET & ICE - \$37,726.63; SNOW & ICE - \$2,373.42; TRAFFIC CONTROL - \$1,390.04; LIBRARY - \$23,768.43; PARKS/SAC - \$49,621.03; MARNE CREEK; \$2,867.06; WATER - \$32,016.03; WASTEWATER - \$29,155.22; CEMETERY - \$2,729.46; SOLID WASTE - \$15,720.50; LANDFILL - \$12,270.04; GOLF COURSE - \$12,681.01; CENTRAL GARAGE - \$6,472.71; **PERSONNEL CHANGES & NEW HIRES:** New Hires: Dawn Bergeson - \$20.00 hr. - Rec. Div. WSI Instructor; Mario Briseno - \$7.25 hr. - Rec. Div. Wage Increase: Denise Brown - \$7.75 hr. - Rec. Div.; Lacey Garvey - \$8.00 hr. - Rec. Div.; Gwen Gevens - \$8.75 hr. - Rec. Div.; Danielle Gill - \$7.75 hr. - Rec. Div.; Dianne Hack - \$9.00 hr. - Rec. Div.; Kristina Kopejka - \$8.25 hr. - Rec. Div.; Paul Pollock - \$8.50 hr. - Rec. Div.; Ronnie Prater - \$8.75 hr. - Rec. Div.; Janice Rouse - \$7.50 hr. - Rec. Div.; Powers Schurrer - \$7.75 hr. - Rec. Div. **LONGEVITY INCREASE:** Connie Miles - \$1364.81 bi - wk. - City Hall. Mayor Specht read a proclamation of appreciation for Gary and Katie Carlson, of Carlson Aviation at the Chan Gurney Airport, for Outstanding Service and Dedication to the City; a proclamation extending thanks to Members of Charlie Battery calling upon all citizens to honor them for their service to our country; a proclamation of gratitude to Yankton Basketball, Inc., for leadership in making the Roger Haas Memorial Basketball Tournament a success; a proclamation declaring the week of April 10, 2010, as Keep Yankton Beautiful Week; and proclamations declaring the week of April 11 through 17, 2010, as National Library Week and National Telecommunicators Week. Commissioner Ellingson entered the meeting at this time. City Manager Russell submitted a written report giving an update on community projects and items of interest. **Action 10-69** Moved by Commissioner Gross, seconded by Commissioner Knoff, that the following items on the consent agenda be approved. 1. Permission for Alcoholic Beverages Consideration of a request from Lori Rothenberg to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a class reunion on September 18, 2010 2. Permission for Alcoholic Beverages Consideration of a request from Mary Healy to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a graduation party on May 14, 2011 3. Establishing public hearing for sale of alcoholic beverages Establish April 26, 2010, as the date for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for one day, May 11, 2010, from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Lewis & Clark Specialty Hospital, 2601 Fox Run Parkway, Yankton, S.D. 4. Establish public hearing for transfer of ownership and location Establish April 26, 2010, as the date for the public hearing on the request for the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2009, to June 30, 2010, from Boomer's Inc, d/b/a Boomer's Lounge, (Gary Boom, President), 100 E 3rd Street to 5 O'Clock Somewhere LLC d/b/a 5 O'Clock Somewhere Parrot Room (Gary Boom & John Murray, partners) 1522 Broadway, Yankton, S.D.

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5. Establish public hearing for new Malt Beverage & SD Farm Wine license Establish April 26, 2010, as the date for the public hearing on the request for a New Package (off sale) Malt Beverage & SD Farm Wine License for July 1, 2009, to June 30, 2010, from Boomer's Inc, d/b/a Boomer's Lounge, (Gary W. Boom, President), 100 East 3rd Street, Yankton, S.D. 6. Notice to Call for Joint City of Yankton and Yankton School District 63-3 Election Establish 12 p.m. Friday, April 16, 2010, as the time and date of a "Notice to Call" a Special City Commission meeting to canvass the election returns of the Joint City of Yankton & Yankton School District 63-3 Election to be held on Tuesday, April 13, 2010 **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-70** This was the time and place for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for one day, April 17, 2010, from Yankton Catholic Community Development Office, (Brian Steward, Pres.), Mt. Marty College/Roncalli Center Dining Room. No one was present to speak for or against approval of the license application. (Memorandum 10-44) Moved by Commissioner Lowrie, to approve the license application. **Roll Call:** Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Wenande; voting "Nay;" None; Abstaining: Mayor Specht. Motion adopted. **Action 10-71** Moved by Commissioner Aklund, seconded by Commissioner Knoff, to approve the request from the Operation Welcome Home Charlie Battery Committee in the amount of \$2,100.00 to pay for the welcome home breakfast that was held for members of Charlie Battery and their families. (Memorandum 10-54) **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-72** Moved by Commissioner Carda, seconded by Commissioner Ellingson, to adopt Resolution 10-10. (Memorandum 10-45) **RESOLUTION 10-10** WHEREAS, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, destruction or other disposal of said personal property. **NOW, THEREFORE, BE IT RESOLVED** that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential: **SURPLUS PROPERTY TO BE SOLD OR DESTROYED** 2004 H&H Trailer VIN: 4J6TC30374B053692 **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-73** This was the time and place to award the bid for a 2010 Rear Loading Refuse Body and 37,000 GVW 4x2 Class Truck for the Department of Public Services, Solid Waste Collection. (Memorandum 10-46) The following bids were received and opened on March 24, 2010: 16 Cubic Yard Rear Loading Refuse Body: Sanitation Products, Inc., Sioux Falls, South Dakota - \$62,660.00, less trade-in of \$7,000.00, total cost of \$55,660.00; Northern Truck Equipment Corp., Sioux Falls, South Dakota - \$57,124.00, less trade-in of \$8,500.00, total cost of \$48,624.00. The bid from Northern Truck Equipment Corp. did not meet specifications and was, therefore, not considered. 37,000 GVW 4x2 Class Truck: Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota - \$78,357.00; Truck-Trailer Sales & Service, Inc., Yankton, South Dakota - \$79,155.00. Moved by Commissioner Gross, seconded by Commissioner Carda, to award the bid for the 16 Cubic Yard Rear Loading Refuse Body to the lowest qualified bidder, Sanitation Products, Inc., Sioux Falls, South Dakota, in the amount of \$55,660.00 and to award the bid for the 37,000 GVW 4x2 Class Truck to the low bidder, Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota in the amount of \$78,357.00. **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-74** This was the time and place to award the bid for a 2011 Model 56,000 GVW 6x4 Class Truck for

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the Public Services Department. (Memorandum 10-47) The following bids were received and opened on March 24, 2010: Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota - \$86,225.00; Truck-Trailer Sales & Service, Inc., Yankton, South Dakota - \$86,975.00. Moved by Commissioner Knoff, seconded by Commissioner VanDerhule, to award the bid to the low bidder, Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota, in the amount of \$86,225.00. **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-75** Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Summit Street right-of-way dedication for the 8th Street (Highway 52) Project. (Memorandum 10-48) **Roll Call:** Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Mayor Specht; voting "Nay;" None; Abstaining: Commissioner Wenande. Motion adopted. **Action 10-76** Moved by Commissioner Knoff, seconded by Commissioner Carda, to authorize the City Manager to execute documents associated with the acquisition by the South Dakota Department of Transportation on behalf of the City, of right-of-way for the Highway 52 (Eighth Street) project from Summit to West City Limits Road. (Memorandum 10-49) **Roll Call:** Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Wenande; voting "Nay;" None; Abstaining: Mayor Specht. Motion adopted. **RESOLUTION 10-11** Sacred Heart Parish Permissive Use of Right-of-Way (PERMIT TO OCCUPY PUBLIC ROAD) WHEREAS, the Sacred Heart Parish located at 509 Capital Street has requested permission to occupy public right-of-way for the purpose of locating conduit for communication lines and an electrical service line as detailed in exhibit (A) and; WHEREAS, upon completion of the proposed improvements in public right-of-way, Sacred Heart Parish agrees to become a member and maintain a membership with "South Dakota One Call" for the purpose of protecting and locating the "communication lines and electrical service line" described and further more Sacred Heart Parish agrees to assume all costs involved in becoming a member and remaining a member of "South Dakota One Call" and; WHEREAS, Sacred Heart Parish agrees to remove, modify or relocate said "communication lines and electrical service line" within sixty days of written request from the Yankton Board of Commissioners and that Sacred Heart Parish assumes all expenses in the removal, modification or relocation of said "communication lines and electrical service line" described, now and in the future as directed by the City and; WHEREAS, upon completion of the proposed improvements in public right-of-way, the owner, their heirs, assignees or successors shall not modify said improvements in any manner without first having the written approval of the Yankton City Commission; **NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of right-of-way for bored-in underground private electrical and other wiring in conduits at the two described locations shown and in a manner described on the attached "Exhibit A." **Roll Call:** Members present voting "Aye;" Commissioners Aklund, Ellingson, Gross, Lowrie, VanDerhule, and Wenande; voting "Nay;" None; Abstaining: Commissioners Carda, Knoff, and Mayor Specht. Motion adopted. **Action 10-78** The request to transfer three acres of East Industrial Park land to Yankton Area Progressive Growth (YAPG) in support of an economic development project was considered. Mike Dellinger, representing YAPG, and Charles Larsen, owner of Aune Trucking, Inc., were present to answer questions. Moved by Commissioner Ellingson, seconded by Commissioner Gross, to approve the transfer of three acres of East Industrial Park land to Yankton Area Progressive Growth as outlined in Memorandum 10-55 and to authorize the City manager to execute all described transfer and reimbursement related documents. **Roll Call:** Members present voting "Aye;" voting "Nay;" None.

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Aklund, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Wenande; voting "Nay;" None; Abstaining: Mayor Specht. Motion adopted. **Action 10-79** Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 10-13. (Memorandum 10-52) **RESOLUTION 10-13** WHEREAS, the City has been negotiating on the collective bargaining agreement with its employee labor union, and WHEREAS, the Labor Union has approved the proposed agreement on April 6, 2010, **NOW, THEREFORE, BE IT RESOLVED** by the City Commission of Yankton, South Dakota, that the attached Collective Bargaining Agreement is hereby approved and the City Manager is authorized to implement the provisions of the agreement throughout the organization, as applicable, and amend the current personnel manual as appropriate. **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-80** Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 10-14. (Memorandum 10-53) **RESOLUTION 10-14** WHEREAS, the City has recently completed negotiations on the collective bargaining agreement with its employee labor union, and WHEREAS, the removal of the retiree health insurance program identified in executive policy statement dated December 22, 1992, was part of the negotiation process. **NOW, THEREFORE, BE IT RESOLVED** by the City Commission of Yankton, South Dakota, that: 1. The Health Insurance Policy for Retirees as identified in executive policy statement dated December 22, 1992, will remain in effect for employees retiring up to January 1, 2014. Following that date, no new retirees shall be admitted into the program. 2. Following January 1, 2014, participants on the program will continue to be allowed to participate according to the terms of the statement dated December 22, 1992. 3. As stated in the December 22, 1992 document, the City has the right to discontinue this policy at such time as the City's health insurance carrier does not allow insurance for retirees or non-employees or, by further City Commission action. **Roll Call:** Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Knoff, Lowrie, Wenande, and Mayor Specht; voting "Nay;" Commissioner VanDerhule. Motion adopted. **Action 10-81** Resolution 10-12 that would annex property described as Lot A of Lot 14, Lot B of Lot 14, and Lot 15 of Whiting's Subdivision; and, those portions of Lot 3 and Lot 13 of Tucker's Subdivision lying in the SW 1/4 of the SE 1/4, 8-93-55; and the adjacent 100 foot strip of former railroad property owned by the City of Yankton located in the SW 1/4 of the SE 1/4, 8-93-55; all being located in Yankton County, South Dakota-Ralph Marquardt (under contract to YAPG), owners, into the corporate limits of the City was considered. Mike Dellinger, representing YAPG, was present in support of adoption of the Resolution. Moved by Commissioner Carda, seconded by Commissioner Knoff, to adopt Resolution 10-12. (Memorandum 10-51) **RESOLUTION 10-12** WHEREAS, Ralph Marquardt has petitioned the City of Yankton, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton. **NOW, THEREFORE, BE IT RESOLVED** by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota: **DESCRIPTION OF TRACT TO BE ANNEXED** Lot A of Lot 14, Lot B of Lot 14 and Lot 15 of Whiting's Subdivision; and, those portions of Lot 3 and Lot 13 of Tucker's Subdivision lying in the SW 1/4 of the SE 1/4, 8-93-55; and the adjacent 100 foot strip of former railroad property owned by the City of Yankton located in the SW 1/4 of the SE 1/4, 8-93-55; all being located in Yankton County, South Dakota. Said annexed property containing 44.6 acres total, more or less. **Roll Call:** All members present voting "Aye;" voting "Nay;" None.

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Motion adopted. **Action 10-82** The request to partner with the State of South Dakota and YAPG to develop an industrial site to serve as a manufacturing facility was considered. Mike Dellinger, Yankton Area Progressive Growth, and Brian Strahl, Ken Karolevitz, Jackie Smith, and Lee Orth, owners of Dakota Trailer Manufacturing, Inc., were present to speak in favor of the proposal. Moved by Commissioner Ellingson, seconded by Commissioner Knoff, to approve spending \$120,105.00 from BBB funds, to develop an industrial site on Gehl Drive, in partnership with the State and YAPG, to serve as a manufacturing facility. (Memorandum 10-56) Prior to a vote being taken, Commissioner Ellingson moved, seconded by Commissioner Knoff, to amend the motion to include funding for up to one-half of the costs of infrastructure improvements. **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. **Action 10-83** Moved by Commissioner VanDerhule, seconded by Commissioner Aklund, to adjourn at 8:01 p.m. **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted. Dan Specht Mayor ATTEST: Al Viereck Finance Officer

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lately, according to Tim Salvatori, president of the Lewis and Clark Home Builders Association (LCHA). "It is going well right now," he said. "I think the weather cooperated, and it's helping home builders get a good start on the year." Yankton Building Official Joe Morrow confirmed that the market has seen an increase in activity. Permits have been issued for several houses, a duplex and "a lot" of shingling projects related to last year's hail storm, he stated. "We expect (the shingling projects) to continue throughout the summer and fall," Morrow said. Yankton residents will have an opportunity to see the efforts of local home builders from 10 a.m. to 4 p.m. today (Saturday) during the LCHA's 2010 Parade of Homes. Eleven homes will be open for public tours. That's the highest number of residences involved since the first year of the Parade of Homes. "For a town of Yankton's size, 11 houses is pretty good considering the downturn we've had," Salvatori said. For more information about the event, visit www.lewisandclarkhomebuilders.com. Officials are hoping 2010 will be a steady year, if not a better year than 2009. "I'm optimistic that things will start settling down, but I think we're still going to have a fairly tough year," Gilson said. Salvatori added, "I hope to see a good year. Yankton's contractors could use a strong one."

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